

REMARKS

Applicant amends independent claim 1 and adds new claim 7. Claims 1-7 are currently pending, of which claim 1 is independent. No new matter has been introduced. Support for the claim amendments and new claim 7 can be found at least in the Specification at page 10, lines 10-21, page 13, lines 11-22, page 15, line 26 – page 16, line 13, page 22, line 14 – page 23, line 5 and Figures 9A-9E. Applicant respectfully submits that the pending claims are in condition for allowance.

I. Rejection of Claim 1 under 35 U.S.C. § 103(a)

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 6,515,580 to Isoda et al. (hereafter “Isoda”) in view of United States Patent Number 5,973,611 to Kulha et al. (hereafter “Kulha”). Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claim 1 as set forth below.

Applicant respectfully submits that the Isoda and Kulha references, alone or in any combination, fail to teach or suggest at least the following feature of independent claim 1: “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal.”

The warning lamp recited in claim 1 indicates a receiving state of a response signal transmitted by the electronic key. If a user drops the electronic key, especially when the motorcycle is running, disconnection of the receiving state of the response signal is observed, and the warning lamp is lit to indicate the disconnection. Thus, the warning lamp of claim 1 makes it possible to inform the user that the electronic key has been dropped. The user, therefore, can immediately recognize that the electronic key has been dropped. Consequently, the warning lamp of claim 1 makes it possible to prevent the user from running with the motorcycle after losing the electronic key.

The Isoda reference does not teach or suggest “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal,” as recited in claim 1. The Isoda reference relates to an antitheft device for vehicles. A vehicle includes a main switch 21 that is switched by a suitably coded key 22 (Isoda, Figure 1). The main switch 21 includes an

antenna 23 that receives signals from a transponder carried on the key 22 so as to determine if an authorized user is operating the vehicle (Isoda, Figure 1). The main switch 21 and antenna 23 may be mounted near the handlebar assembly 15 (Isoda, Figure 1).

With regard to an alarm 27, the Isoda reference discusses verifying the ID of an inserted key 22. If the inserted key is not confirmed to have a registered ID or if there is no ID reading, the program in the Isoda reference determines if the time for making the comparison set by a timer has elapsed. If the time has elapsed, then the program stops the ID comparison process and starts the alarm and anti-theft process. The program then shuts off the main switch and sets off the alarm 27. The alarm 27 in the Isoda reference indicates **a failure in verifying the ID of the inserted key 22**, but does not indicate **a receiving state of a response signal from an electronic key**, as required by claim 1. The alarm 27 in the Isoda reference does not indicate a receiving state of a communication from the key 22.

The addition of the Kulha reference fails to cure this deficiency.

The Kulha reference relates to a hands-free remote entry system for vehicles. The system includes a base transceiver with wake-up sensors for automatically detecting an object (Kulha, abstract). Once an object is detected, a transmitter within the base transceiver transmits a wake-up/data signal to a fob transceiver (Kulha, abstract). A wake-up receiver within the fob transceiver receives the wake-up/data signal (Kulha, abstract). Upon receipt of the wake-up/data signal, the fob transceiver transmits an identification/data signal, via a transmitter, back to a receiver in the base transceiver (Kulha, abstract). In response to receiving the identification/data signal, output drivers from the base transceiver actuate a door-lock system and an auto-theft system (Kulha, abstract). However, the Kulha reference contains no teaching or suggestion of a warning lamp for indicating a receiving state of a response signal from the fob transceiver.

As such, the Isoda and Kulha references, alone or in any combination, do not teach or suggest “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal,” as recited in claim 1.

In view of the foregoing arguments, Applicant respectfully submits that the Isoda and Kulha references, alone or in any combination, fail to teach or suggest each and every feature of

claim 1. As such, Applicant respectfully submits that claim 1 defines over the art of record. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the U.S.C. § 103(a) rejection of claim 1.

II. Rejection of Claims 2 and 3 under 35 U.S.C. § 103(a)

Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Isoda and Kulha references as applied to claim 1, and in view of United States Patent Number 6,078,293 to Yamamoto (hereafter “Yamamoto”). Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 2 and 3 as set forth below.

Claims 2 and 3 depend upon independent claim 1 and, as such, include all the features of claim 1.

Applicant respectfully submits that the Isoda, Kulha and Yamamoto references, alone or in any combination, fail to teach or suggest at least the following feature of independent claim 1 from which claims 2 and 3 depend: “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal.”

As discussed above in connection with claim 1, Applicant respectfully submits that the Isoda and Kulha references, alone or in any combination, fail to teach or suggest the above feature of claim 1.

The addition of the Yamamoto reference fails to cure this deficiency.

The Yamamoto reference relates to an antenna 1A mounted inside of a switch main body 1C of a column switch 1 supporting a steering wheel 2 (Yamamoto, abstract). However, the Yamamoto reference contains no teaching or suggestion of a warning lamp for indicating a receiving state of a response signal from an electronic key.

As such, the Isoda, Kulha and Yamamoto references, alone or in any combination, do not teach or suggest “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal,” as recited in claim 1.

In view of the foregoing arguments, Applicant respectfully submits that the Isoda, Kulha and Yamamoto references, alone or in any combination, fail to teach or suggest each and every feature of claim 1 from which claims 2 and 3 depend. As such, Applicant respectfully submits that claims 2 and 3 define over the art of record. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the U.S.C. § 103(a) rejection of claims 2 and 3.

III. Rejection of Claims 4-6 under 35 U.S.C. § 103(a)

Claims 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Isoda and Kulha references as applied to claim 1, and in view of United States Patent Number 4,132,994 to Caldwell (hereafter “Caldwell”). Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 4-6 as set forth below.

Claims 4-6 depend upon independent claim 1 and, as such, include all the features of claim 1.

Applicant respectfully submits that the Isoda, Kulha and Caldwell references, alone or in any combination, fail to teach or suggest at least the following feature of independent claim 1 from which claims 4-6 depend: “a warning lamp installed around said control apparatus for indicating a receiving state of said response signal.”

As discussed above in connection with claim 1, Applicant respectfully submits that the Isoda and Kulha references, alone or in any combination, fail to teach or suggest the above feature of claim 1.

The addition of the Caldwell reference fails to cure this deficiency.

The Caldwell reference relates to a radio antenna 22 mounted along the edge of a windshield 18 (Caldwell, abstract). However, the Caldwell reference contains no teaching or suggestion of a warning lamp for indicating a receiving state of a response signal from an electronic key.

In view of the foregoing arguments, Applicant respectfully submits that the Isoda, Kulha and Caldwell references, alone or in any combination, fail to teach or suggest each and every

feature of claim 1 from which claims 4-6 depend. As such, Applicant respectfully submits that claims 4-6 define over the art of record. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the U.S.C. § 103(a) rejection of claims 4-6.

IV. New Claim 7

New claim 7 depends upon independent claim 1 and, as such, includes all the features of claim 1.

Claim 7 requires that the request signal is output every fixed interval of time in response to a starting operation of the motorcycle, and that a presence of the response signal is observed. Claim 7 also requires that a count value is updated if the response signal is not detected within a predetermined period of time, and that the warning lamp is driven when the count value becomes higher than a predetermined value. These features of claim 7 make it possible to distinguish problems like temporal communication failure from the dropping of the electronic key. This avoids malfunction or unnecessary operation of the warning lamp.

The cited references do not disclose, teach or suggest the features of claim 7. More specifically, the cited references do not disclose, teach or suggest that “said request signal is output every fixed interval of time in response to a starting operation of said motorcycle, a presence of said response signal is observed based on said output of said request signal, a count value is updated if said response signal is not detected within a predetermined period of time, and said warning lamp is driven when said count value becomes higher than a predetermined value,” as recited in claim 7.

As such, Applicant respectfully submits that claim 7 defines over the art of record.

CONCLUSION

In view of the foregoing amendments and arguments, Applicant believes the pending application is in condition for allowance.

Any fee due is authorized to be charged to our Deposit Account No. 12-0080, under Order No. TOW-045RCE2 from which the undersigned is authorized to draw. If a requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely.

Dated: January 21, 2009

Respectfully submitted,

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